

THE HONORABLE JOHN C. COUGHENOUR

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SCOTT AND KATHRYN KASEBURG, ET  
AL,

Plaintiffs,

vs.

PORT OF SEATTLE, a municipal corporation;  
PUGET SOUND ENERGY, INC., a  
Washington for profit corporation,  
KING COUNTY, a home rule charter county,  
and CENTRAL PUGET SOUND REGIONAL  
TRANSIT AUTHORITY, a municipal  
corporation,

Defendants.

NO. 2:14-CV-000784-JCC

JOINT MOTION TO EXTEND TRIAL  
SETTING

NOTE ON MOTION CALENDAR:  
06/17/2015

**I. RELIEF REQUESTED**

Plaintiffs Scott and Kathryn Kaseburg et al and Defendants Port of Seattle, Puget Sound Energy, Inc., King County, and Central Puget Sound Regional Transit Authority, for good cause, hereby jointly request an order extending the present trial setting. Trial is currently set for October 19, 2015. (*See* ECF No.38.) The parties jointly request that the present trial setting be extended to October 2016 to allow the parties sufficient time to complete briefing of the issues in the case and to allow for the completion of discovery in light of the fact that another defendant

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1 has been joined to the case since the time of trial was last set. This is the first time any of the  
2 parties have requested the trial date be extended.

3 **II. RELEVANT FACTS AND PROCEDURAL BACKGROUND**

4 Plaintiffs seek declaratory judgment and an order to quiet title in the Lake Washington  
5 Rail Corridor. This Court granted Plaintiffs' Motion for Leave to file their Third Amended  
6 Complaint on September 30, 2014, which allowed Plaintiffs to join additional owners to the case  
7 and further allowed Plaintiffs to add Central Puget Sound Regional Transit Authority as a  
8 defendant. (*See* ECF No. 45.) The parties continue to engage in discovery.

9  
10 Currently before the Court is Defendants' Motion for Partial Summary Judgment on  
11 Plaintiffs' Declaratory Judgment claim, noted for June 19, 2015.

12 **III. RELEVANT FACTS AND PROCEDURAL BACKGROUND**

13 Whether the Court should extend the trial setting to October 2016 in order to allow time  
14 for additional discovery and time for the parties to complete briefing on the Defendants' current  
15 motion for summary judgment.

16 **IV. AUTHORITY AND ARGUMENT**

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18 Extending the trial setting will serve the purpose of allowing additional time to conduct  
19 discovery and further allow adequate time for the Court to consider Defendants' motion for  
20 summary judgment. The parties also expect that extending the trial setting will provide time and  
21 opportunity for additional briefing of the issues in the case. The parties state that none will  
22 suffer any prejudice if the Court grants an extension, and that such an extension is in the interests  
23 of justice.  
24  
25

**V. CONCLUSION**

For the foregoing reasons, the parties respectfully request the Court extend the trial setting in this matter to October 2016.

Date: June 17, 2015.

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/s/ Desmond L. Brown

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